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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Youichi AOYAMA, et al.**

Application Division

Serial Number: **10/812,415**

Confirmation No: **1262**

Filed: **March 30, 2004**

For: **SUPPORTING UNIT OF POWER TRAIN FOR FORKLIFT TRUCK**

REQUEST FOR CORRECTED FILING RECEIPT

Mail Stop: Missing Parts

Customer No.:38834

Commissioner for Patents

Atty. Docket No. 042281

P.O. Box 1450

Alexandria, VA 22313-1450

October 5, 2004

Sir:

Please supply the undersigned attorney with a corrected filing receipt for the above-identified application. The undersigned also respectfully requests that the Patent and Trademark Office records be amended to reflect the correction.

In reviewing the Official Filing Receipt, we noted errors in the **Power of Attorney** and the **Title**. The **Power of Attorney** should read **—The patent practitioners associated with Customer Number 38834—**and the **Title** should read **—Supporting unit of power train for forklift truck--**. A copy of the **Patent Application Information Retrieval**, the **Application Transmittal**, and the **Declaration** are enclosed which indicates the correct information. We are enclosing a copy of the filing receipt with the corrections highlighted.

In the event that any fees are required in connection with this paper, please charge our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

Sadao Kinashi

Attorney for Applicants

Reg. No. 48,075

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SK/rf

Enclosures: Official Filing Receipt; Patent Application Information Retrieval; Application Transmittal; Declaration



UNITED STATES PATENT AND TRADEMARK OFFICE

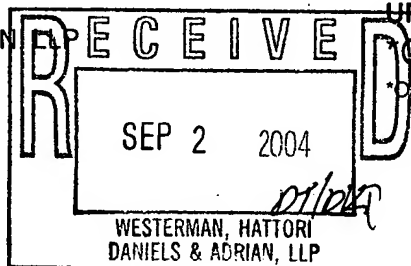
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
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| APPL NO. | FILING OR 371 (C) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/812,415 | 03/30/2004 | 3681 | 1320 | 042281 | 7 | 5 | 1 |

CONFIRMATION NO. 1262

38834

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036



UPDATED FILING RECEIPT

DOC000000013678497*

DOC000000013678497

Date Mailed: 08/31/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Youichi Aoyama, Tochigi-ken, JAPAN;
Shigeo Shinohara, Yuuki-shi, JAPAN;

Power of Attorney: The patent practitioners associated with Customer Number 38834.~~THOMAS J. MACPEAK-19292~~~~Michael Lau-39479~~~~William Westerman-29988~~~~John Kong-40054~~~~Scott Daniels-32562~~~~Kenneth Salen-43077~~~~Ken Ichi Hattori-32861~~~~Thomas Brown-44450~~~~Stephen Adrian-32878~~~~Sadao Kinashi-48075~~

Domestic Priority data as claimed by applicant

Foreign Applications

JAPAN 2003-095206 03/31/2003

JAPAN 2004-088128 03/24/2004

If Required, Foreign Filing License Granted: 06/10/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is,
US10/812,415

Projected Publication Date: 12/09/2004

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



United States Patent and Trademark Office

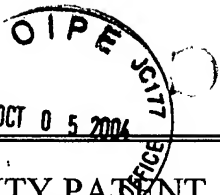
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PATENT APPLICATION INFORMATION RETRIEVAL

| Search results for application number: 10/812,415 | | | |
|---|---|----------------------------|---|
| Application Number: | 10/812,415 | Customer Number: | 38834 |
| Filing or 371(c) Date: | 03-30-2004 | Status: | Application Undergoing Preexam Processing |
| Application Type: | Utility | Status Date: | 03-31-2004 |
| Examiner Name: | - | Location: | ELECTRONIC |
| Group Art Unit: | - | Location Date: | - |
| Confirmation Number: | 1262 | Earliest Publication No: | - |
| Attorney Docket Number: | 042281 | Earliest Publication Date: | - |
| Class/ Sub-Class: | -/- | Patent Number: | - |
| First Named Inventor: | Youichi Aoyama, | Issue Date of Patent: | - |
| Title Of Invention: | Supporting unit of power train for forklift truck | | |

Search Options

| |
|--------------------|
| Foreign Priority |
| Image File Wrapper |
| Publication Review |

| File History | |
|--------------|---|
| Date | Contents Description |
| 06-14-2004 | Notice Mailed--Application Incomplete--Filing Date Assigned |
| 05-01-2004 | Cleared by L&R (LARS) |
| 04-22-2004 | Referred to Level 2 (LARS) by OIPE CSR |
| 04-15-2004 | IFW Scan & PACR Auto Security Review |
| 03-30-2004 | Initial Exam Team nn |



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|--|--|--|-------------|--|
| UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b)) Check Box, if applicable [] Duplicate | Attorney Docket No. | 042281 | Total Pages | |
| | First Named Inventor or Application Identifier | | | |
| | Youichi AOYAMA and Shigeo SHINOHARA | | | |
| | Express Mail Label No. | | | |
| APPLICATION ELEMENTS FOR: SUPPORTING UNIT OF POWER TRAIN FOR FORKLIFT TRUCK | | ADDRESS TO: Commissioner for Patents MAIL STOP PATENT APPLICATION P. O. Box 1450 Alexandria, VA 22313-1450 | | |
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (Incorporated within this form) (The filing fee is deferred)</p> <p>2. <input checked="" type="checkbox"/> Specification Total Pages [19] (IN JAPANESE)</p> <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) Total Sheets [7]</p> <p>4. <input type="checkbox"/> Oath or Declaration Total Pages <input type="checkbox"/> NOT attached; deferred under P.L. 97-247</p> <p>a. <input type="checkbox"/> Newly executed (original)</p> <p>b. <input type="checkbox"/> Copy from prior application (37 CFR 1.63(d) (for continuation/divisional with Box 17 completed).</p> <p>i. <input type="checkbox"/> <u>Deletion of Inventor(s)</u> Signed statement attached deleting inventor(s) named in prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>5. <input type="checkbox"/> Incorporation by reference (useable if box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p> <p>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Copy</p> <p>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</p> <p>c. <input type="checkbox"/> Statement Verifying identity of above copies</p> <p><u>ACCOMPANYING APPLICATION PARTS</u></p> <p>8. <input type="checkbox"/> Assignment Papers (cover sheet and document(s)) to: <u>Komatsu Forklift Co., Ltd., Tokyo, Japan</u> Please publish the assignee data with the application.</p> <p>9. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) [] Power of Attorney</p> | | | | |

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications
under 37 CFR 1.53(b))

Attorney Docket No.

042281

First Named Inventor or Application Identifier

Youichi AOYAMA and Shigeo SHINOHARA

PAGE 2 OF 3

10. ☐ English translation Document (if applicable)

11. ☐ Information Disclosure Statement ☐ Copies of IDS Citations

12. ☐ Preliminary Amendment

13. ☒ Return Receipt Postcard (MPEP 503)

14. ☐ Small Entity Status is claimed.

15. ☒ Claim for Convention Priority ☐ Certified copy of Priority Document is enclosed.

a. Priority of Japanese Application No. 2003-095206 filed on March 31, 2003 is claimed under 35 USC 119; and

b. Priority of Japanese Application No. 2004-088128 filed on March 24, 2004 is claimed under 35 USC 119.

16. ☐ Other

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Division ☐ Continuation-in-part (CIP) of prior application no. ____/

| FEE TRANSMITTAL | Number Filed | Number Extra | Rate | .. Basic Fee |
|------------------------------------|--------------|--------------|-----------|--------------|
| The filing fee is calculated below | | | | \$770.00 |
| Total Claims | 6 - 20 | | x \$18.00 | |
| Independent Claims | 1 - 3 | | x \$86.00 | |
| Multiple Dependent Claims | | | \$290.00 | 290.00 |
| Total Basic Filing Fee | | | | 1060.00 |
| Reduction by 1/2 for small entity | | | | |
| Fee for recording Assignment | | | \$40.00 | 40.00 |
| TOTAL | | | | \$1100.00 |

XX NO FEE ENCLOSED. THE FILING FEE IS DEFERRED.

| | | |
|---|--|--------|
| UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b)) | Attorney Docket No. | 042281 |
| | First Named Inventor or Application Identifier | |
| | Youichi AOYAMA and Shigeo SHINOHARA | |
| | PAGE 3 OF 3 | |

- ☐ A check in the amount of _____ is enclosed to cover the filing fee of _____ and the assignment recordation fee of _____.
- ☐ Please charge our Deposit Account No. **50-2866** in the total amount of _____ to cover the filing fee and the _____ assignment recordation fee. A duplicate of this sheet is attached.
- ☐ The Commissioner is hereby authorized to charge payment for any additional filing fees required under 37 CFR 1.16 or credit any overpayment to Deposit Account no. 50-2866

18. CORRESPONDENCE ADDRESS:

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
 Customer No. 38834

| | |
|-------------------------------------|----------------------|
| SUBMITTED BY | |
| Typed or Printed Name Sadao Kinashi | Reg. No. 48,075 |
| Signature <i>Sadao Kinashi</i> | Date: March 30, 2004 |

SK/yap

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
 1250 Connecticut Avenue, N.W., Suite 700
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 Tel: (202) 822-1100
 Fax: (202) 822-1111

DECLARATION FOR U.S. PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Supporting unit of power train for forklift truck

the specification of which is attached hereto unless the following is checked

☐ was filed on _____ as United States Application Number or PCT International Application Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) (d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application for which priority is claimed.

(List prior foreign applications. See note A)

2003-095206

Japan

31 March, 2003

Priority Claimed

☒ Yes ☐ No

(Number)

(Country)

(Day/Month/Year Filed)

2004-088128

Japan

24 March, 2004

☒ Yes ☐ No

(Number)

(Country)

(Day/Month/Year Filed)

(Number)

(Country)

(Day/Month/Year Filed)

☐ Yes ☐ No

(Number)

(Country)

(Day/Month/Year Filed)

☐ Yes ☐ No

(See note B) ☐ See attached list for additional prior foreign applications

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(List prior U.S. Applications)

Status

(Application Serial No.)

(Filing Date)

☐ Patented ☐ Pending ☐ Abandoned

(Application Serial No.)

(Filing Date)

☐ Patented ☐ Pending ☐ Abandoned

(Application Serial No.)

(Filing Date)

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(Application Serial No.)

(Filing Date)

☐ Patented ☐ Pending ☐ Abandoned